

Task Force on the Future for Growth and Development in Maryland

September 22, 2008 / 1:00 PM – 4:00 PM

The Maryland Department of Planning

Baltimore, Maryland

Meeting Summary

Members: Jon Laria (Chair), David Beall, Derick Berlage, Karl Brendle, David Carey, Sandy Coyman, Teena Green, Janet Greenip, Jan Gardner, Carol Gilbert, Richard Hall, Don Halligan, Frank Hertsch, David Jenkins, Brigid Kenney, Gerrit Knaap, Dru Schmidt-Perkins, Caroline Varney- Alvarado (for Carol Gilbert)

Attendees: Marty Baker (MDOT), Jamie Bridges (BMC), Peter Bouxsein (Office of Del. McIntosh), Alan Girard (CBF), Dave Goshom (DNR), John Greiner (DHCD), Brad Heavner (Env. MD), Les Knapp (MACo), Katie Maloney (MSBA), Susan Mitchell (MD Homebuilders), John Papagni, Izzy Patoka (Governor's Office), Jim Peck (MML), Frank Principe (Balto. Co.), Rhonda Ray, Maria Rivera, Anne Roane (City of Cambridge), Caroline Varney-Alvarado, Helga Weschke (DBED)

MDP Staff: Amanda Conn, Peter Conrad, Larry Fogelson, Pat Goucher, Jenny King, Nery Morales, Matt Power, Eric Schmitt, Joe Tassone, Shelley Wasserman

Welcome & Administrative Matters

Mr. Jon Laria, Chair, updated the Task Force about a newly added Listening Session to be held in Prince Georges County on October 22, 2008 from 6:30-8:30 pm.

PFA and APFO Workgroup Updates

Mr. Knaap, PFA Workgroup Chair, informed the Task Force that the PFA Workgroup held its first meeting and decided on an approach for its first full meeting.

Mr. Berlage, APFO Workgroup Chair, informed the Task Force that a short organizational conference call was held and the first working meeting was held prior to this meeting. During this meeting the group designated twelve topics to focus upon. The meeting focused on two of these topics in depth: the relationship between APFOs and PFAs and on the relationship of APFOs, schools, land use planning, local redistricting and funding. The work group also formally requested information from MDP regarding schools and APFO, which will help move their discussion along.

Mr. Laria asked the Workgroups to make recommendations by the October 27th meeting, although he recognized that this is a short window for a large task.

Final Report: Infrastructure Assessment Workgroup

Mr. Coyman presented the Infrastructure Assessment Workgroup recommendations and advised that they were unable to reach consensus on some of the recommendations and therefore decided to defer some recommendations to the APFO Workgroup.

The Task Force discussed the Workgroup recommendations. Mr. Knaap asked whether some of the recommendations could be more specific. Mr. Coyman responded that more specificity caused more conflict.

Mr. Coyman noted that enabling legislation should be used to obtain more funding for infrastructure is a necessity. Mr. Berlage concurred noting that it would empower the locals to raise and spend money.

Ms. Schmidt-Perkins suggested that some of the recommendations might be too narrow.

Mr. Knaap suggested that on page 11, number 3 that the word “adequate” be inserted in front of public facilities should be included in comprehensive plans. This recommendation was accepted.

Mr. Berlage suggested that a clear recommendation should be discussed regarding the link between land use and infrastructure.

Mr. Berlage expressed some concern with the Workgroup’s item number seven recommendation in that transit vs. growth are not the issue and suggested a stronger statement be made.

Mr. Coyman, in noting alternatives, stated that there should be a way to look at public facilities as a means to reduce VMT.

Ms. Schmidt-Perkins questioned whether the group still intended to place a priority on funds to assure that existing money is spent on positive outcomes and goals that lead us into more cost effective development. She commented that the concept hadn’t been discussed in sometime and it seemed to have been a priority for this particular section. It was suggested that item number 8 touched on that topic.

The Task Force accepted the Workgroup recommendations in general, though both Ms. Schmidt-Perkins and Mr. Knaap said they hoped for greater specificity. Mr. Laria noted that he would rather have more general recommendations around which there is a consensus.

Transfer of Development Rights (TDR Briefing)

Mr. Laria informed the Task Force that TDRs were a topic raised at the Salisbury Listening Session. He felt that the Task Force should be educated about TDRs for possible consideration and asked MDP to provide an overview, which Secretary Hall asked Joe Tassone of MDP to provide.

Mr. Hall noted that the State Growth Commission had discussed TDRs in the late 1990s. Some Maryland examples include Montgomery and Calvert counties who achieved a TDR program which works well and employed down-zoning of its rural areas. Unfortunately some places employ a TDR program after agricultural lands are consumed via poor zoning and try to use TDRs to fix the problem.

Mr. Tassone noted that a successful TDR program is to have a market to buy/sell rights. Montgomery County had a built-in market because developers wanted more units so TDRs sold. This is not the case now and the County is now looking at using TDRs for commercial development since residential demand is reaching build out.

Mr. Hertsch commented on the common predicament that if there is enough economic benefit to support an agricultural preservation plan and the public facilitates are inadequate, then the transfer of development rights usually trumps smart growth.

It was further noted that Calvert County down-zoned several times before there was a market because there was not a market until zoning permitted only 2.5 units per acre.

It was asked why an inter-county TDR program does not exist. Ms. Wassermann stated that TDRs are enabled by State law. Most areas do not use a TDR program because there is no incentive to make the base density. A banking system needed to be set-up.

Discussion ensued on the merits of TDR programs. Mr. Laria suggested the State could look more seriously at TDRs as a means of agricultural preservation.

Final Terrapin Run Recommendation

Mr. Les Knapp of MACo circulated two amendments to the previously-circulated Terrapin Run statement. The Task Force accepted one of these and endorsed the statement as otherwise prepared, with the prior objections of Ms. Gardner noted for the record.

Revised Draft Recommendations and Solicitation of Additional Recommendations

Mr. Laria noted that the next meeting will consist of Workgroup updates and review of the pending Recommendations. Further, he requested that MDP, DHCD, and MDOT work to outline the parameters of the State Development Plan, State Housing Plan and State Transportation Plan for presentation and discussion.

Mr. Hall briefly reviewed the draft recommendations circulated prior to the meeting. In the PFA section, it was suggested that the second recommendation could be folded into the first and that the third recommendation be moved to the Smart Growth section. Under the Water and Sewer section it was noted that general expansion of the explanation would be helpful and that number four be linked to the water and sewer plan. In the Smart Growth section, number 1 should include the Chesapeake Bay and Coastal Bays. It was suggested that the last recommendation in the Resource Conservation section should be linked to MDOT's funding. Generally, it was suggested adding climate change, housing issues and jobs/housing. These changes will be incorporated into the subsequent, more detailed discussion.

Mr. Laria noted that there was no quota for a number of recommendations, large or small. He asked the Task Force to begin seriously fleshing out the recommendations and come with suggestions at the next meeting.

Public Comments

None

The meeting adjourned at 4:00 pm.